

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED

2024 AUG 16 PM 3:36

U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY 

UNITED STATES OF AMERICA,

) CRIMINAL NO.

Plaintiff,

) INFORMATION

v.

) **Count One** – Title 18 U.S.C. §§ 7(3) and 13

) involving a violation of Tex. Penal Code §§

) 49.04 and 49.04(d)—Driving While

DONALD MILLER Jr.,

) Intoxicated

Defendant.

) **EP24MJ3506**

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

[18 U.S.C. §§ 7(3) and 13(a) involving a violation of Tex. Penal Code §§ 49.04 and 49.04(d)]

On or about February 18, 2024, in the Western District of Texas, and at a place within the special maritime and territorial jurisdiction of the United States as defined in Title 18, United States Code, Section 7(3), on land reserved and acquired for the use of the United States, to wit: Fort Bliss, Texas, the Defendant,

**DONALD MILLER Jr**

did then and there operate a motor vehicle in a public place while Defendant was intoxicated by reason of the introduction of alcohol into his body and it is further presented that at the time of performing an analysis of a specimen of the defendant's breath, the analysis showed an alcohol level of 0.15 or more, in violation of Title 18, United States Code, Sections 7(3) and 13 (Involving Sections 49.04 and 49.04(d) Texas Penal Code—Driving While Intoxicated).

Respectfully submitted,

JAIME ESPARZA  
UNITED STATES ATTORNEY

GREGORY E. McDONALD  
ASSISTANT UNITED STATES ATTORNEY

By:

  
ANDRES REYES DE LEON  
Special Assistant United States Attorney

**Fort Bliss Misdemeanors**

**Date: August 18, 2024**

**Judge Castañeda**

**NAME**

**OFFENSE**

**MAXIMUM PUNISHMENT**

Donald Miller Jr.

**COUNT ONE**

DWI-Alcohol

18 U.S.C. §7(3) and 13

TPC 49.04 (d)

Class A Misdemeanor

Confinement: One (1) year,

\$4,000 fine, one (1) year

Supervised Release, Both

Confinement and Fine,

SA \$25.00

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**DONALD MILLER Jr.,**

**Defendant.**

) **CRIMINAL NO.**  
)  
)  
)  
) **CASE NO.:**  
)  
) **EP24MJ3506**  
)  
)  
)

**DECLARATION IN SUPPORT OF CRIMINAL INFORMATION**

I, Carlos Cabral, hereby declare under the penalty of perjury, pursuant to Title 28, United States Code, Section 1746, that:

1. I am the Custodian of Records for Directorate of Emergency Services assigned to the Police Services Division in the Provost Marshal's Office at Fort Bliss, Texas. I have reviewed Law Enforcement Report 00091-2024-TAI014-3B2, and the sworn statements made part thereof, and have derived the following facts there from:

2. On or about February 18, 2024, at approximately 02:37 A.M., Military Police Traffic Investigator J.I. was notified of an intoxicated driver at the Buffalo Soldier Access Control Point. Investigator J.I. had arrived on scene and met with Military Police Officer S.C. Officer S.C. had explained to Investigator J.I. that the operator of the vehicle had shown signs of impairment to include slurred speech, bloodshot/glossy eyes, and had emitted an odor of an unknown alcoholic beverage. Officer S.C. had also stated that the operator of the vehicle was evaluated by medical personnel because he had sustained injuries to the upper lip and knee cap.


3. After completion of a medical evaluation, the Operator of the vehicle—later identified as Defendant Donald Miller Jr., —was then released on scene by medical personnel. Investigator J.I. then introduced himself and inquired of Defendant's whereabouts to which he responded that he

had just returned from a bar on Cincinnati Street. Investigator J.I. noticed that Defendant's speech was slurred and barely comprehensible. Investigator J.I. proceeded to ask where Defendant was heading to which Defendant replied that he had made a wrong turn and did not know where he was. After further questioning, Investigator J.I. observed that Defendant's eyes were red/glossy and emitted an odor of an unknown alcoholic substance. Defendant then admitted that he had a couple of drinks an hour ago.

4. Investigator J.I. then asked Defendant if he would consent to conducting the Standardized Field Sobriety Tests. Defendant consented to take the test. Defendant was then apprehended and transported to the Military Police Station for further investigation and processing. Defendant signed an Implied Consent Form at 04:11 A.M. consenting to a sample of his breath for use in a breath alcohol analytical test. The breath sample/test resulted in a Breath Alcohol Concentration of 0.183 grams/210L at approximately 04:21 A.M.

5. The Buffalo Soldier Access Control Point is a public road located in the Western District of Texas and at a place within the special maritime and territorial jurisdiction of the United States as defined in Title 18, United States Code, Section 7(3), on land reserved and acquired for the use of the United States, to wit: Fort Bliss, Texas.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED THIS 16 DAY OF AUGUST 2024.

  
 CARLOS CABRAL  
 Supervisory Police Administration Assistant  
 Directorate of Emergency Services

Probable cause found:  
 No probable cause found:

DATE: \_\_\_\_\_

\_\_\_\_\_  
 UNITED STATES MAGISTRATE JUDGE